

OCT 27 2005

Attorney Docket No: 38-15(52826)B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alan L. KRIZ *et al.*) Examiner: Ashwin Mehta
Utility Patent Application No.: 10/732,721) Art Unit: 1638
Filed: 10 December 2003)
Title: MAIZE EMBRYO-SPECIFIC PROMOTER)
COMPOSITIONS AND METHODS FOR)
USE THEREOF)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir,

**SECOND AMENDMENT AND RESPONSE AFTER FINAL ACTION
FILED UNDER 37 C.F.R. §1.116**


In response to the Final Office Action mailed 18 May 2005 and the Advisory Action mailed 23 September 2005, Applicants respectfully request reconsideration of the application in view of the amendments and remarks submitted herein under 37 C. F. R. §1.116.

Amendments to the Claims are provided in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.

CERTIFICATE OF FACSIMILE TRANSMITTAL – 19 (nineteen) pages

I hereby certify that this Response to Office Action and Amendment is being facsimile transmitted to the USPTO's Central Facsimile Number, i. e., (571) 273-8300, on 27 October 2005.



Maria Margarita D. Unson
Registration Number 53,711
Agent for Applicants

Telephone: (860) 572-5217
Fax: (860) 572-5280